

**IN THE UNITED STATES DISTRICT COURT FOR THE  
EASTERN DISTRICT OF WISCONSIN  
MILWAUKEE DIVISION**

**ANDREW L. COLBORN,**

**Plaintiff,**

**vs.**

**NETFLIX, INC.; CHROME MEDIA LLC,  
F/K/A SYNTHESIS FILMS, LLC; LAURA  
RICCIARDI; AND MOIRA DEMOS,**

**Defendants.**

**Civil No.: 19-CV-484**

**DECLARATION OF KEVIN L. VICK**

I, Kevin L. Vick, under penalty of perjury and subject to 28 U.S.C. § 1746, declare as follows:

1. I am one of the attorneys for Defendants Laura Ricciardi, Moira Demos and Chrome Media LLC (collectively the “Producer Defendants”) in the above-captioned action. I have personal knowledge of the matters set forth in this declaration. I make this declaration in support of the Defendants Joint Civil L.R. 7(H) Expedited Non-Dispositive Motion for Order Allowing Defendants to Depose Plaintiff For 14 Hours Collectively (the “Expedited Non-Dispositive Motion”).

2. Attached as Exhibit 1 is a true and correct copy of pertinent portions of the transcript of the deposition of non-party Brenda Schuler, including the following excerpts:

- a. Pages 166-67 of the deposition transcript contain testimony regarding Plaintiff forwarding Ms. Schuler his communications with Attorney Michael Griesbach during his representation for this litigation;

- b. Pages 283-86 of the deposition transcript contain testimony regarding paper documents and discs containing evidence that Plaintiff provided to Ms. Schuler;
- c. Page 309-11 of the deposition transcript contain testimony regarding Ms. Schuler contributing edits to the Complaint and not considering whether attorney-client privilege was an issue;
- d. Pages 316-18 of the deposition transcript contain testimony regarding Ms. Schuler's concerns about "get[ting her] stuff to be privileged" when she was assisting with the litigation on a volunteer basis but not a paid employee;
- e. Pages 318-21 of the deposition transcript contain testimony regarding conversations between Plaintiff and Ms. Schuler regarding her not having an official role on the legal team but confirming her continued involvement and role drafting the initial Complaint; and
- f. Pages 341-348 of the deposition transcript contain testimony regarding  
[REDACTED]  
[REDACTED]  
[REDACTED].

3. Counsel for all parties conferred but were unable to come to an agreement regarding the number of hours to depose Plaintiff Andrew Colborn. Attached as Exhibit 2 is a true and correct copy of the meet and confer email correspondence regarding Plaintiff's deposition. In addition, during a conference call between counsel for all parties held on June 16, 2022, counsel for the Producer Defendants explained that Defendants would soon file an

Expedited Non-Dispositive Motion with the Court in light of the parties' inability to informally resolve the issue of the appropriate length of Mr. Colborn's deposition.

I declare under penalty of perjury that the foregoing is true and correct.

Dated: June 24, 2022

Respectfully submitted,

/s/ Kevin L. Vick  
Kevin L. Vick

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